

Attorney Docket No.  
100038-0001 (B78494)

### **DECLARATION AND POWER OF ATTORNEY**

I, Tommy L. Davis, Jr., sole inventor herein, hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

#### **"SYSTEM AND METHOD FOR TRACKING AUTHENTICATED ITEMS"**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to in this declaration.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to the patentability of any claim in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u> <u>(day, month, year)</u>
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None

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S. Serial No.</u>	<u>U.S. Filing Date</u>	<u>Status</u>
10/038,292	01/04/2002	Pending

We hereby appoint Customer Number 20594; (CHRISTOPHER J. ROURK, Registration No. 39,348, JOHN M. CONE, Reg. No. 30,538; and DANIEL W. KEENE, Registration No. 46,821), namely, the firm of AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P., our attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Send all correspondence to:

Christopher J. Rourk  
AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.  
P.O. Box 688  
Dallas, TX 75313-0688  
Phone: 214/969-4669

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

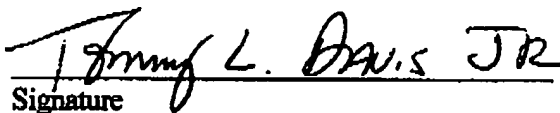
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**Date:** 10/27/03

  
Signature